

Court of Appeals, Division One
Criminal

1 CA-CR 15-0030

STATE v. JOHNSON

Appellate Case Information

Case Filed: 20-Jan-2015
Case Closed:

Dept/Composition

Department C

Hon. Diane M Johnsen
Hon. Jon W Thompson

Consolidated with: 1 CA-CR 15-0024 1 CA-CR 15-0029 1 CA-CR 16-0031

Side 1. STATE OF ARIZONA, Appellee

(Litigant Group) STATE OF ARIZONA

- State of Arizona

Attorneys for: Appellee

Robert A Walsh, Esq. (AZ Bar No. 16071)

Side 2. ROLLINS R JOHNSON, III, Appellant

(Litigant Group) ROLLINS R JOHNSON, III

- Rollins R Johnson, III

Attorneys for: Appellant

Janelle A McEachern, Esq. (AZ Bar No. 16652)

CASE STATUS

Dec 6, 2016.....**Decision Rendered**

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CR2009-145504-001			Brian Kaiser, Hearing	PROBVIOL	

2 OPEN DUE DATES

Motion for Reconsideration due **Due By:** Tuesday, December 27, 2016

Re: MEMORANDUM DECISION (Affirmed) Hon Jon W Thompson - Author; Hon Diane M Johnsen - Concur; Hon Thomas C Kleinschmidt - Concur

Petition for Review to ASC due **Due By:** Tuesday, January 10, 2017

Re: MEMORANDUM DECISION (Affirmed) Hon Jon W Thompson - Author; Hon Diane M Johnsen - Concur; Hon Thomas C Kleinschmidt - Concur

39 PROCEEDING ENTRIES

- 20-Jan-2015 FILED: Notice of Appeal from Maricopa County Superior Court filed 01/13/15. Notification to Court Reporters dated 01/16/2015. Includes Designation of Record.
- 23-Feb-2015 FILED: Reporter's Transcript - 09/19/13 - Sentencing (Marmie Guimont)
- 26-Feb-2015 FILED: e-Record on Appeal:
Instruments/minute Entries: combined
disposition Report: None
Exhibits: None
- 27-Feb-2015 FILED: Notice of Completion of Record (VACATED per order dated 03/03/2015)
- 3-Mar-2015 ORDERED: Consolidating cases 1 CA-CR 15-0024, 1 CA-CR 15-0029 and 1 CA-CR 15-0030. Case No. 1 CA-CR 15-0024 is designated the primary number. FURTHER ORDERED: Vacating the notice of completion and opening brief due date in the 1 CA-CR 15-0030 matter. Anthony Mackey ProTem Judge - Author
- 9-Mar-2015 FILED: Request for Extension of Time (to File Transcripts) (Gail Ferguson)
- 12-Mar-2015 ORDERED: Court Reporter Brenda J Brown due date EXTENDED from Friday, 02-27-2015 to Monday, 04-13-2015 for transcript of proceedings held on 04/29/2013. Hon Michael J Brown - Author
- 12-Mar-2015 ORDERED: Request for Extension of Time (to File Transcripts) (Gail Ferguson) = GRANTED. Due Dates EXTENDED to 04/13/2015 for Transcripts dated 08/13/2013, 08/14/2013. Hon Michael J Brown - Author

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9. 12-Mar-2015 ORDERED: Court Reporter Kimberly D McAndrews due date EXTENDED from Friday, 02-27-2015 to Monday, 04-13-2015 for transcript of proceedings held on 11/20/2012. Hon Michael J Brown - Author
10. 12-Mar-2015 ORDERED: Court Reporter Helene Paustian due date EXTENDED from Friday, 02-27-2015 to Monday, 04-13-2015 for transcript of proceedings held on 08/15/2013. Hon Michael J Brown - Author
11. 13-Apr-2015 FILED: Reporter's Transcript - 8-15-13 - Jury Trial/Aggravating Circumstance Hrg/Trial on Priors (Helene Paustian)
12. 14-Apr-2015 ORDERED: Court Reporter Gail Ferguson due dates EXTENDED to 05/14/2015 for Transcripts dated 08/13/2013, 08/14/2013 or OSC on 05/20/2015. Hon Michael J Brown - Author
13. 20-May-2015 FILED: Reporter's Transcripts: - 8/13/2013 - trial (Gail Ferguson)
14. 20-May-2015 FILED: Reporter's Transcripts: - 8/14/2013 - trial (Gail Ferguson)
15. 21-May-2015 FILED: Notice of Completion of Record
16. 3-Jun-2015 FILED: Motion to Withdraw and Substitute New Counsel; Motion to Extend Opening Brief Due Date; Certificate of Service (Appellant)
17. 9-Jun-2015 ORDERED: Motion to Withdraw and Substitute New Counsel (Appellant) = GRANTED. FURTHER ORDERED: Appointing Janelle McEachern as counsel for appellant. FURTHER ORDERED: Maricopa County Public Defender forward all files to newly appointed counsel. FURTHER ORDERED: Motion to Extend Opening Brief Due Date (Appellant) = GRANTED. Due date EXTENDED from Monday, 07-06-2015 to Thursday, 07-23-2015 Fred Cole ProTem Judge - Author
18. 22-Jul-2015 FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Mailing (Appellant) (STRIKEN per order dated 02/08/16)
19. 22-Jul-2015 FILED: Motion for Leave of Appellant to File Supplemental Brief in Propria Persona; Certificate of Mailing (Appellant)
20. 22-Jul-2015 ORDERED: Allowing appellant to file supplemental brief in propria persona; FURTHER ORDERED: Counsel to send copy of record to appellant, and copy of transmittal letter to Clerk/AG; FURTHER ORDERED: Appellant may raise additional points on/before 8/31/15; FURTHER ORDERED: Answering brief to await court order. Anthony Mackey ProTem Judge - Author
21. 11-Sep-2015 FILED: Assigning Anders appeal to Dept E for consideration and disposition. [Ruth Willingham, Clerk]
22. 11-Sep-2015 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
23. 17-Sep-2015 FILED: Supplemented Superior Court e-Record with Revised Index of Record
24. 18-Sep-2015 ORDERED: Staying these consolidated appeals. FURTHER ORDERED: Revesting jurisdiction to the Superior Court of Maricopa County. FURTHER ORDERED: Superior Court supplement the record of its rulings on the above motions, within five days from the entry. Hon Patricia A Orozco - Author
25. 4-Dec-2015 FILED: Maricopa County Superior Court Minute entry dated 11/27/2015 re: Ruling on stayed appeal
26. 9-Dec-2015 FILED: Supplemented Superior Court e-Record with Revised Index of Record
27. 24-Dec-2015 FILED: Supplemented Superior Court e-Record with Revised Index of Record
28. 8-Feb-2016 ORDERED: Vacating the previous assignment of this case to Department E. FURTHER ORDERED: Striking Appellant's Opening Brief previously filed in this matter on 07/22/15. FURTHER ORDERED: Directing Appellant's counsel to file a new Opening Brief no later than 04/08/16. FURTHER ORDERED: Directing the State to file an Answering Brief within forty-five days of the service of Appellant's Opening Brief. FURTHER ORDERED: Vacating of the Anders designation in these appeals, only Appellant's counsel shall file future motions and/or supplemental briefing. Hon Patricia A Orozco - Author
29. 8-Feb-2016 ORDERED: Consolidating case 1 CA-CR 16-0031 with the previously consolidated appeals: 1 CA-CR 15-0024, 1 CA-CR 15-0029 and 1 CA-CR 15-0030 Hon Patricia A Orozco - Author
30. 13-Apr-2016 ORDERED: Motion for Extension of Time to File Opening Brief (Appellant) = GRANTED/ Due date EXTENDED from Friday, 04-08-2016 to Monday, 05-09-2016. Anthony Mackey ProTem Judge - Author
31. 9-May-2016 FILED: Appellant's Amended Opening Brief; Certificate of Compliance; Certificate of Mailing (Appellant)
32. 20-May-2016 FILED: Notice of Appearance; Certificate of Service (Appellee)

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| 33. | 22-Jun-2016 | ORDERED: Answering Brief due date EXTENDED from Monday, 06-27-2016 to Wednesday, 07-27-2016. Fred Cole ProTem Judge - Author |
| 34. | 27-Jul-2016 | FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee) |
| 35. | 27-Jul-2016 | FILED: Appendices to Appellee's Answering Brief (Appellee) |
| 36. | 29-Aug-2016 | CLNDR: CONFERENCE, Department C, 10-19-16, COURTROOM 1. |
| 37. | 31-Aug-2016 | FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days |
| 38. | 6-Dec-2016 | MEMORANDUM DECISION (Affirmed) Hon Jon W Thompson - Author; Hon Diane M Johnsen - Concur; Hon Thomas C Kleinschmidt - Concur |
| 39. | 6-Dec-2016 | FILED: Memorandum Decision Distribution List |